

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MANUEL GARZA and VELKYS RIVERA,

Plaintiffs

v.

EAGLERIDER HOLDINGS, et al.,

Defendants

Case No.: 2:22-cv-01765-APG-BNW

**Order Remanding Case for Lack of  
Subject Matter Jurisdiction**

Harley-Davidson Motor Company Group, LLC, which asserts it was incorrectly named as defendant Harley-Davidson Motor Company, Inc., removed this action from state court based on diversity jurisdiction. ECF No. 1. I ordered Harley-Davidson to show cause why this action should not be remanded for lack of subject matter jurisdiction. ECF No. 6.

In its response, Harley Davidson relies on plaintiff Manuel Garza's pre-litigation correspondence (which it has not attached) to show that Garza is seeking \$24,850.52 in past medical bills and \$1,400 in lost wages. That is substantially below the \$75,000 jurisdictional threshold. And although Harley-Davidson asserts that Garza is still treating, it presents no evidence to support that assertion or any evidence to suggest that additional treatment will result in substantial medical bills, now over two years after the accident. Harley-Davidson also relies on the fact that this is a products liability case that will result in significant attorney's fees. But it cites no authority for the proposition that the plaintiffs will be able to recover attorney's fees in this case. Because Harley-Davidson does not meet its burden of showing the jurisdictional amount in controversy requirement is satisfied, I remand the case.

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1 I THEREFORE ORDER that the case is remanded to the state court from which it was  
2 removed for all further proceedings. The clerk of the court is instructed to close this case.

3 DATED this 7th day of November, 2022.

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6 ANDREW P. GORDON  
7 UNITED STATES DISTRICT JUDGE  
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